

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALI DURRANI,

Defendant.

CASE NO. 2:23-CR-48

JUDGE SARGUS

MOTION OF THE UNITED STATES FOR REOPENING DETENTION HEARING

Based on reported threats Defendant Ali Durrani has made to a potential government witness, the United States hereby moves the Court under 18 U.S.C. § 3142(f) to reopen his detention hearing and reconsider whether release is appropriate, and if so on what conditions.

On a complaint issued in this District, Mr. Durrani was arrested in the District of Maryland on November 9, 2023, and released the same day on conditions. (Order, R.7.) One of those conditions was that he “avoid all contact, directly or indirectly, with any person who is or may become a victim or potential witness in the investigation or prosecution.” (*Id.* at PageID 16.) This condition remained through two changes to his release conditions that reduced restrictions on his travel—both changes the United States did not oppose. (*See United States v. Durrani* (D. Md., 1:22-mj-3263), R.12 & 14.) Mr. Durrani was indicted in this District on February 28, 2023, and he entered a not-guilty plea on March 17, 2023.

Under § 3142(f), new information permits a party to move before trial to reopen the detention hearing:

The hearing may be reopened, before or after a determination by the judicial officer, at any time before trial if the judicial officer finds that information exists that was not

known to the movant at the time of the hearing and that has a material bearing on the issue whether there are conditions of release that will reasonably assure the appearance of such person as required and the safety of any other person and the community.

18 U.S.C. § 3142(f). Here, new material information requires a reassessment of Mr.

Durrani's bond status.

On April 7, 2023, a potential government witness living in Pennsylvania contacted local police to report a threatening phone call from Mr. Durrani. According to the police report, Mr.

Durrani made the following statements to the potential witness:

- "If you keep snitching you will never speak again."
- "If I get 15 years, I will fuck you so hard you won't be able to speak again."
- "I am already facing 15 years, I'll make sure your life is ruined."
- "You better keep your mouth shut before its too late."

Such threats, made to a known potential witness, represent a violation of Mr. Durrani's bond conditions and are plainly material to the question whether there are conditions of release that will reasonably assure the safety of this and other potential government witnesses.

For these reasons, the United States moves the Court to reopen Mr. Durrani's detention hearing under § 3142(f) and reassess his release conditions—and indeed whether release under any conditions is appropriate.

Respectfully submitted,

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